



DEPARTMENT OF THE NAVY
BUREAU OF MEDICINE AND SURGERY
7700 ARLINGTON BOULEVARD
FALLS CHURCH, VA 22042

IN REPLY REFER TO
BUMEDINST 5811.1A
BUMED-09B

BUMED INSTRUCTION 5811.1A

JAN 20 2015

Subj: ENLISTED DISCIPLINARY REVIEW BOARD

Ref: (a) UCMJ
(b) JAGMAN, Chapter I, Part B
(c) Manual for Courts-Martial

Encl: (1) DRB Session Process
(2) Disciplinary Case Routing Sheet

1. Purpose. To establish the Chief Petty Officers (CPO) Disciplinary Review Board (DRB), per references (a) through (c). The DRB is an enlisted board of inquiry into alleged offenses of the Uniform Code of Military Justice (UCMJ). The board advises Sailors of their rights and provides the chain of command with recommendations regarding punitive or non-punitive measures to correct or prevent future infractions of the UCMJ.

2. Cancellation. BUMEDINST 5811.1

3. Background. Chief Petty Officers serve as the primary trainer, mentor, qualifier, and role model for enlisted Sailors. The process of mentoring and counseling is better served within the departmental chain of command. DRB is a proven model that enhances the command's effectiveness in maintaining good order and discipline. Experience found in senior enlisted leaders is critical to the success associated with lowest level leadership, particularly in execution of disciplinary cases.

3. Responsibility of Board Members

a. A Master Chief or a designated Senior Enlisted will Chair the DRB in the absence of the Command Master Chief (CMC).

b. Two other members shall be selected from permanently assigned CPOs. The DRB members will not include anyone from the accused's immediate chain of command unless dictated by other circumstances.

c. The Command Chief Master-At-Arms (CMAA) will be appointed to the board as an advisor, and is responsible for ensuring statements, witnesses, and evidence necessary to properly evaluate the case are present at the DRB session.

d. The accused's Leading Chief Petty Officer, witnesses, and the accuser shall be available during the Sailor interview process of the DRB session.

JAN 20 2015

4. Action

- a. CMC is responsible for the overall compliance of the DRB process and procedures per enclosure (1). He will review this instruction annually for effectiveness and make recommendations to the Commanding Officer as necessary.
- b. Departmental chain of command will provide a brief description of the accused Sailors personal performance, character, and potential for Naval service via enclosure (2).
- c. The CMAA will forward results of the DRB session to the Staff Judge Advocates Office, via the CMC, per Enclosure (2).



P. B. COE
Chief of Staff
Acting

CHIEF PETTY OFFICER DISCIPLINE REVIEW BOARD SESSION PROCESS

The Enlisted Disciplinary Review Board (DRB) of Inquiry will provide understanding to the Sailor regarding their rights, evaluate alleged offenses, and make recommendations.

1. The board chairman shall ensure the accused understands his/her rights under Article 31(b) of the Uniform Code of Military Justice using the script listed on page two of this enclosure.
2. Voting members of the board will consider available facts and evidence and provide recommendations by majority vote to the CMC, with amplification as necessary using enclosure (2).
3. Board advisors shall provide recommendations, after considering available facts and evidence, to the board chairman.
4. Following the conclusion of the board, the CMC will provide personal recommendations using enclosure (2).
5. The board chairman will route the package to Staff Judge Advocate Officer for further processing.

DISCIPLINARY REVIEW BOARD CHAIRMAN SCRIPT

CHAIR: You are suspected of committing the following violations of the UCMJ {**read charge sheet**}.

CHAIR: You do not have to make any statements regarding the offenses of which you are accused or suspected. Any statement made by you may be used as evidence against you.

CHAIR: You are advised that the DRB is an inquiry into alleged offense(s) of the UCMJ and that determination of misconduct may lead to further review of the violation(s) and Non-Judicial Punishment or court martial.

CHAIR: I understand you have been advised of your 31(b) rights {**verify rights sheet**}. Do you understand your rights as they were explained to you?

CHAIR: Do you have any questions concerning your rights, or do you wish to make any requests?

CHAIR: Did you {read charge sheet} yes or no?

CHAIR (if Yes): Since you have admitted to the charges, what mitigating factors do you have to offer the board to help them provide a recommendation to the chain of command.

CHAIR (if No): What can you tell me about your involvement in this/these offense(s)?

CHAIR: Do you have anything you would like to add or change in your statement?

CHAIR: You are dismissed.

Board Member Expectations: This is an inquiry only. Board members should be professional at all times. There is no reason for screaming or yelling at the Sailor.

DISCIPLINARY CASE ROUTING SHEET

From: Chief Master-at-Arms
To: Departmental Chain of Command

Subj: ENCLOSED CASE FILE OF _____.

1. Please review the case file and make written comments concerning the Sailor's personal performance, character, and potential for Naval service as appropriate.
2. Return completed disciplinary case file to CMAA within **24 hours** of LCPO's receipt.

Master-at-Arms

LEADING CHIEF PETTY OFFICER

Remarks: _____

Signature

DIVISION OFFICER

Remarks: _____

Signature

DEPARTMENT HEAD

Remarks: _____

Signature

DRB (Check recommended punishment and make remarks)

<input type="checkbox"/> Dismissed at Disciplinary Review Board	<input type="checkbox"/> 3 days bread & Water
<input type="checkbox"/> Dismissed with Extra Military Instruction (EMI)	<input type="checkbox"/> Correctional Custody Unit (CCU)
<input type="checkbox"/> Dismissed with Letter of Intent (LOI) (Non-punitive)	<input type="checkbox"/> Reduction in rank
<input type="checkbox"/> Dismissed with Letter of Reprimand (LOR) (Non-punitive)	<input type="checkbox"/> Suspend rank ___ months
<input type="checkbox"/> Restriction for ___ days	<input type="checkbox"/> Extra duty for ___ days
<input type="checkbox"/> Forfeiture of ___ Pay Per Month (PPM) for ___ months	<input type="checkbox"/> Suspend ___ punish ___ months

Remarks: _____

Signature

CMC (Check recommended punishment and make remarks)

<input type="checkbox"/> Dismissed at Disciplinary Review Board	<input type="checkbox"/> 3 days bread & Water
<input type="checkbox"/> Dismissed with Extra Military Instruction (EMI)	<input type="checkbox"/> Correctional Custody Unit (CCU)
<input type="checkbox"/> Dismissed with Letter of Intent (LOI) (Non-punitive)	<input type="checkbox"/> Reduction in rank
<input type="checkbox"/> Dismissed with Letter of Reprimand (LOR) (Non-punitive)	<input type="checkbox"/> Suspend rank ___ months
<input type="checkbox"/> Restriction for ___ days	<input type="checkbox"/> Extra duty for ___ days
<input type="checkbox"/> Forfeiture of ___ Pay Per Month (PPM) for ___ months	<input type="checkbox"/> Suspend ___ punish ___ months

Remarks: _____

Signature

XO (Check recommended punishment and make remarks)

<input type="checkbox"/> Dismissed at Disciplinary Review Board	<input type="checkbox"/> 3 days bread & Water
<input type="checkbox"/> Dismissed with Extra Military Instruction (EMI)	<input type="checkbox"/> Correctional Custody Unit (CCU)
<input type="checkbox"/> Dismissed with Letter of Intent (LOI) (Non-punitive)	<input type="checkbox"/> Reduction in rank
<input type="checkbox"/> Dismissed with Letter of Reprimand (LOR) (Non-punitive)	<input type="checkbox"/> Suspend rank ___ months
<input type="checkbox"/> Restriction for ___ days	<input type="checkbox"/> Extra duty for ___ days
<input type="checkbox"/> Forfeiture of ___ Pay Per Month (PPM) for ___ months	<input type="checkbox"/> Suspend ___ punish ___ months

Remarks: _____

Signature